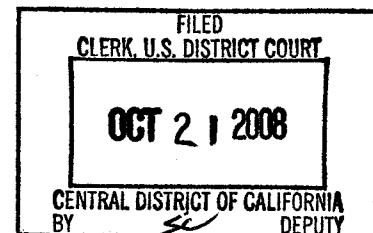


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23 OCT 17
24 CLERK U.S. DISTRICT COURT
25 CENTRAL DISTRICT OF CALIFORNIA
26 BY [initials]



UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

16 UNITED STATES OF AMERICA,) CR 08-1201
17 Plaintiff,) [REDACTED] ORDER RESTRAINING
18 v.) SALE OR TRANSFER, [REDACTED]
19) OF TRADEMARK
20 RUBEN CAVAZOS,) [18 U.S.C. § 1963(d)]
21 aka "Doc", et al.,) [UNDER SEAL]
22 Defendants.)
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1 Upon consideration of the (1) Ex Parte Application for Post-
2 Indictment Restraining Order filed by the United States; (2)
3 supporting Memorandum of Points and Authorities; and (3)
4 Declaration of Special Agent John Ciccone, the Court hereby finds
5 as follows:

6 On January 11, 2005, the United States Patent and Trademark
7 Office ("PTO") registered the "Mongols" trademark (Registration
8 No. 2916965). The trademark was issued to Mongol Nation,
9 purportedly for use in commerce in connection with promoting the
10 interests of persons interested in the recreation of riding
11 motorcycles.

12 On October 9, 2008, a federal grand jury in Los Angeles
13 returned an indictment (under seal) alleging racketeering
14 activity by members of the Mongol Nation.

15 Count eighty-five of the indictment identifies the Mongols
16 trademark as an asset which the government seeks to forfeit in
17 these criminal proceedings. The indictment alleges that the
18 defendants control the Mongols Motorcycle club, also known as
19 Mongol Nation, which in turn owns the trademark, and that in the
20 event of the defendants' convictions, the trademark would be
21 subject to forfeiture to the United States under 18 U.S.C.
22 § 1963(a)(1), (2) and (3).

23 The sale, transfer, conveyance, or other disposal of the
24 trademark by any of the defendants in this criminal action could
25 render the trademark unavailable for forfeiture. ~~In addition,~~
~~there is overwhelming evidence that the defendants use and~~
~~display the trademark to promote their criminal enterprise and~~
~~activities.~~

1 Accordingly, IT IS HEREBY ORDERED that the defendants in
2 this criminal action, and any of their agents, servants,
3 employees, family members, and those persons in active concert or
4 participation with them, are enjoined and restrained from taking
5 any action or attempted action that would affect the
6 availability, marketability or value of the Mongols trademark,
7 including but not limited to selling, conveying, transferring,
8 licensing, distributing, bailing, assigning, mortgaging,
9 pledging, collateralizing, hypothecating, wasting, secreting,
10 damaging, diminishing the value of, conveying, encumbering, or
11 otherwise disposing of the Mongols trademark.

12 ~~IT IS FURTHER HEREBY ORDERED that the defendants in this~~
13 ~~criminal action, and any of their agents, servants, employees,~~
14 ~~family members, and those persons in active concert or~~
15 ~~participation with them, are enjoined and restrained from~~
16 ~~wearing, using or displaying the Mongols trademark (however~~
17 ~~spelled, used or displayed, whether capitalized, abbreviated,~~
18 ~~singular or plural, printed, stylized or incorporated in a symbol~~
19 ~~or article of clothing, whether used alone or in combination with~~
20 ~~any wording or symbol, and whether displayed personally, or for~~
21 ~~the purpose of advertising or publicizing the activities of the~~
22 ~~Mongol Nation, the Mongols, or any members thereof).~~

23 IT IS FURTHER HEREBY ORDERED that the defendants in this
24 criminal action, and any of their agents, servants, employees,
25 family members, and those persons in active concert or
26 participation with them, shall surrender for seizure all
27 products, clothing, vehicles, motorcycles, books, posters,
28 merchandise, stationery, or other materials bearing the Mongols

1 || trademark or trade dress.

2 For the purposes of this Order, "defendants" means and
 3 includes: RUBEN CAVAZOS, also known as ("aka") "Doc" ("CAVAZOS"),
 4 RUBEN CAVAZOS, JR., aka "Little Rubes" ("R. CAVAZOS, JR.") HECTOR
 5 GONZALEZ, JR., aka "Largo" ("GONZALEZ"), ARTHUR ROSELI, JR., aka
 6 "Chiques" ("ROSELI"), JUAN MANUEL NIEVES, aka "Listo" ("NIEVES"),
 7 ANTHONY MARK TINOCO, aka "Bengal" ("TINOCO"), WILLIAM MICHAEL
 8 MUNZ ("MUNZ"), LAWRENCE WILSON, aka "Lars" ("WILSON"), WALTER
 9 RAMIREZ, aka "Bumper" ("RAMIREZ"), ANDRES RODRIGUEZ, aka "Rascal"
 10 ("RODRIGUEZ"), ENRIQUE LOUIS MUÑOZ, aka "Hank" ("MUÑOZ"), JOSE
 11 GARCIA, aka "Big Joe" ("GARCIA"), SHAWN BUSS, aka "Monster"
 12 ("BUSS"), PETER SOTO, aka "Bouncer" ("SOTO"), VICENT RIOS, aka
 13 "Chente" ("RIOS"), AL CAVAZOS, JR., aka "Al the Suit" ("A.
 14 CAVAZOS, JR."), MANUEL ARMENDAREZ, aka "Mandog" ("ARMENDAREZ"),
 15 ROGER MARTINEZ, aka "Stamper," ("R. MARTINEZ"), RAFAEL LOZANO,
 16 aka "Peligroso" ("R. LOZANO"), ALEX LOZANO, aka "Reaper" ("A.
 17 LOZANO"), MARK GARCIA, aka "Wolf" ("M. GARCIA"), HORACIO PONCE,
 18 aka "Scorpio" ("PONCE"), FELIX FIGUEROA, aka "Risky"
 19 ("FIGUEROA"), DAVID EDWARD GIL, aka "L.A. Bull" ("GIL"), RICARDO
 20 GUTIERREZ, aka "Ricko" ("GUTIERREZ"), JORGE VIRAMONTES, aka
 21 "Solo" ("VIRAMONTES"), JOHN CARNELAS, aka "JC" ("CARNELAS"),
 22 ALESSANDRO LOPEZ, aka "Grumpy" ("LOPEZ"), JUAN ALFRED GONZALEZ,
 23 aka "Negro" ("J. GONZALEZ"), ANTHONY ZUNIGA, aka "Wicked"
 24 ("ZUNIGA"), BENJAMIN LEYVA, aka "Secret" ("LEYVA"), WILLIAM
 25 OWENS, aka "Target" ("OWENS"), JON JAY MOREIN, "White Boy Jon"
 26 ("MOREIN"), LUIS PADILLA, aka "Kiko" ("L. PADILLA"), RAYMOND
 27 ANTHONY TRUJILLO, aka "Nasty" ("TRUJILLO"), DANIEL MEDEL, aka
 28 "Big Dog" ("MEDEL"), FNU LNU, aka "Bullet" ("BULLET"), DENIS

1 MALDONADO, aka "Steaky" ("MALDONADO"), NORBERTO JOSE MONTES, aka
 2 "Villain" ("MONTES"), ABRAM WEDIG, aka "Cane" ("WEDIG"), JOSEPH
 3 BRADEN, aka "Socks" ("BRADEN"), RAMON CHAVEZ ("CHAVEZ"), MANUEL
 4 MELGOZA ("MELGOZA"), DAVID TELLEZ ("TELLEZ"), MARIO ANGULO, aka
 5 "Kermit" ("ANGULO"), RAMON CONTRERAS, aka "Speedy" ("CONTRERAS"),
 6 RICHARD ESPINOZA, aka "Radone" ("ESPINOZA"), ISMAEL RIVERA, aka
 7 "Yo-Yo" ("RIVERA"), HAROLD REYNOLDS, aka "Face" ("REYNOLDS"),
 8 ISMAEL PADILLA, aka "Mouth" ("I. PADILLA"), JASON HILL, aka "Big
 9 J" ("HILL"), SAM TREVINO, aka "Wapo" ("TREVINO"), BRANDON
 10 CHEVILLE, aka "Suicide" ("CHEVILLE"), RUDOLPH VALLE, aka "Swift" ("VALLE"), PAUL LEMAY, aka "Spider" ("LEMAY"), WILLIAM SHAWLEY,
 11 aka "Dago Bull" ("SHAWLEY"), AARON PRICE, aka "Sick Boy"
 12 ("PRICE"), PAUL CORDOVA, aka "Chopper" ("CORDOVA"), DAVID NAVA
 13 ("NAVA"), RENATO GOMEZ ("R. GOMEZ"), BRIAN MCCUALEY ("MCCAULEY"),
 14 WILLIAM LOUIE, aka "Chief" ("LOUIE"), JORGE COTTINI, aka "House"
 15 ("COTTINI"), SAMUEL GONZALEZ, aka "Serial Sam" ("S. GONZALEZ"),
 16 JAIME FLORES ("FLORES"), ALFONSO SOLIS ("SOLIS"), WILLIAM
 17 RAMIREZ, aka "Moreno" (WILLIAM RAMIREZ), AUSTIN MELCER, aka
 18 "Danger" ("MELCER"), CHRISTOPHER LOZA, aka "Punk Rock" ("LOZA"),
 19 JOHN NEWMAN, aka "Weto" ("NEWMAN"), EDWARD MORENO, aka "Violent
 20 Ed" ("MORENO"), THOMAS SAVALA, aka "Danger" ("SAVALA"), and DAVID
 21 PADILLA, aka "Lazy Dave" ("D. PADILLA").
 22

23 The application of the United States for this post-
 24 indictment restraining order, the supporting points and
 25 authorities and Ciccone Declaration, the proposed Order, and any
 26 Orders issued by the Court in connection with any of these
 27 pleadings, are to be filed and kept under seal until 10:00 a.m.
 28 on October 21, 2008, except as needed by law enforcement agents

1 to implement the restraints ordered. Said documents shall be
2 unsealed as of 10:00 a.m. on October 21, 2008, ~~unless and until~~
3 ~~otherwise ordered by this Court~~. To facilitate the purpose and
4 effect of this interim sealing request, the the Court hereby
5 directs the United States Attorney's Office to retain custody of
6 the sealed documents during this brief interim period, and to
7 file said documents at or shortly after 10:00 a.m. on October 21,
8 2008.

9 DATED: *Oct. 21, 2008*



10 UNITED STATES DISTRICT JUDGE

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12 Presented by:



13
14 FRANK D. KORTUM
15 Assistant United States Attorney

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